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MAILED
JUN 21 2010
OFFICE OF PETITIONS

In re Patent No. 7,541,493	:
Rose	: DECISION UPON REMAND AND
Issue Date: June 2, 2009	: RECONSIDERATION OF
Application No. 10/557,072	: PATENT TERM ADJUSTMENT
Filed: April 18 2006	: AND NOTICE OF INTENT
Attorney Docket No. CP242	: TO ISSUE CERTIFICATE OF
Title: Modafinil Synthesis	: CORRECTION
Process	:

This is a decision following remand from the District Court for the District of Columbia regarding the patent term adjustment indicated on the above-identified patent. The Court remanded this matter to the U.S. Patent and Trademark Office for recalculation of the patent term adjustment in accordance with the decision in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

The patent term adjustment indicated on the above-identified patent has been recalculated as directed by the Court. The term of the above-identified patent is extended or adjusted by five hundred seventy-six (576) days.

The application is being forwarded to the Certificates Branch for issuance of a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by five hundred seventy-six (576) days.

Telephone inquiries specific to this matter should be directed to Senior Legal Advisor, Kery A. Fries at (571) 272-7757.

/Kery A. Fries/

Kery A. Fries

Patent No. 7,541,493 Application No. 10/557,072
Senior Legal Advisor Attorney
Office of Patent Legal Administration
Office of Associate Commissioner
For Patent Examination Policy

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Enclosure: . Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,541,493 B2

DATED : June 2, 2009

DRAFT

INVENTOR(S) : Rose

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 422 days .

Delete the phrase "by 422 days" and insert – by 576 days--

Day : Thursday
Date: 6/17/2010**PALM INTRANET**

Time: 10:55:09

PTA Calculations for Application: 10/557072			
Application Filing Date:	04/18/2006	PTO Delay (PTO):	422
Issue Date of Patent:	06/02/2009	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	0
Post-Issue Petitions:	0	Total PTA (days):	576
PTO Delay Adjustment:	154		

File Contents History					
Number	Date	Contents Description	PTO	APPL	START
43	06/17/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	154		
36.5	05/13/2009	PTA 36 MONTHS			
36	06/02/2009	PATENT ISSUE DATE USED IN PTA CALCULATION			
35	04/29/2009	EXPORT TO FINAL DATA CAPTURE			
34	04/28/2009	DISPATCH TO FDC			
33	04/28/2009	APPLICATION IS CONSIDERED READY FOR ISSUE			
32	04/27/2009	ISSUE FEE PAYMENT VERIFIED			
31	04/27/2009	ISSUE FEE PAYMENT RECEIVED			
30	03/11/2009	CORRESPONDENCE ADDRESS CHANGE			
29	03/05/2009	FINISHED INITIAL DATA CAPTURE			
28	02/03/2009	EXPORT TO INITIAL DATA CAPTURE			
27	01/28/2009	MAIL NOTICE OF ALLOWANCE	44		20
26	01/22/2009	ISSUE REVISION COMPLETED			
25	01/22/2009	DOCUMENT VERIFICATION			
24	01/22/2009	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
23	01/22/2009	CASE DOCKETED TO EXAMINER IN GAU			
22	01/21/2009	NOTICE OF ALLOWABILITY			
21	09/19/2008	DATE FORWARDED TO EXAMINER			
20	08/15/2008	RESPONSE AFTER NON-FINAL ACTION			
19	07/24/2008	FILING RECEIPT - CORRECTED			
18	07/23/2008	FILING RECEIPT - CORRECTED			
17	06/30/2008	MAIL NON-FINAL REJECTION	378		-1
16	06/23/2008	NON-FINAL REJECTION			
		INFORMATION DISCLOSURE STATEMENT			

15	05/11/2006	CONSIDERED			
14	01/18/2008	CORRESPONDENCE ADDRESS CHANGE			
13	01/18/2007	PG-PUB ISSUE NOTIFICATION			
12	01/17/2007	CASE DOCKETED TO EXAMINER IN GAU			
11	05/11/2006	REFERENCE CAPTURE ON IDS			
10	01/17/2007	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
9	04/18/2006	OATH OR DECLARATION FILED (INCLUDING SUPPLEMENTAL)			
8.7	05/11/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
8	05/11/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
7	04/18/2006	MISCELLANEOUS INCOMING LETTER			
4	10/11/2006	CLEARED BY OIPE CSR			
3	04/18/2006	371 COMPLETION DATE			
2	10/10/2006	APPLICATION DISPATCHED FROM OIPE			

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EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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